

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: February 16, 1954. The Hynson Canning Co., claimant, having filed an answer, but having failed to pursue the matter further, and it appearing to the court that the product was adulterated as alleged in the libels, judgments of condemnation were entered. The court ordered that the product be delivered to a Federal or State institution, for use as animal feed.

21140. Adulteration of canned tomatoes. U. S. v. 98 Cases * * *. (F. D. C. No. 35632. Sample No. 73730-L.)

LIBEL FILED: September 14, 1953, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 11, 1953, by Thomas Roberts & Co., Inc., from Hynson, Md.

PRODUCT: 98 cases, each containing 6 cans, of tomatoes at Philadelphia, Pa.

LABEL, IN PART: (Can) "Bulow Tomatoes Contents 1 Lb."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: March 24, 1954. Default decree of condemnation and destruction.

NUTS AND NUT PRODUCTS

21141. Adulteration of unshelled filberts. U. S. v. 195 Bags * * *. (F. D. C. No. 36312. Sample No. 76109-L.)

LIBEL FILED: February 9, 1954, District of Idaho.

ALLEGED SHIPMENT: Sometime during 1951 and 1952, from the State of Oregon.

PRODUCT: 195 60-pound bags of unshelled filberts at Boise, Idaho.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of wormy filberts, and of a decomposed substance by reason of the presence of moldy filberts; and the article was otherwise unfit for food by reason of the presence of empty shells. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 13, 1954. Idaho Food Products, Inc., Boise, Idaho, claimant, having consented to the entry of a decree, judgment was entered providing for the release of the product under bond for segregation of the unfit portion, under the supervision of the Food and Drug Administration. 1,358 pounds of the product were found unfit and were destroyed.

21142. Adulteration of pecan pieces and pecan meal. U. S. v. 17 Cartons, etc. (F. D. C. No. 36206. Sample Nos. 84607-L to 84609-L, incl.)

LIBEL FILED: December 23, 1953, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 27 and September 5, 1953, from Albany, Ga.

PRODUCT: 40 30-pound cartons of pecan pieces and 23 30-pound cartons of pecan meal at Philadelphia, Pa.